

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: KIM, Yang-Piung

SERIAL NO.: 10/022,184

ART UNIT: 1773

FILED: December 14, 2001

EXAMINER: Jackson, M. R.

TITLE: LIGHT PROTECTING SHEET AND METHOD FOR MANUFACTURING THE SAME

Amendment G: REMARKS

Upon entry of the present amendments, Claims 11 and 12 remain in this case. Claims 11 and 12 have been amended so as to place the claims into a condition for appeal. Applicant respectfully requests the Examiner to enter a Final Action so that the application may properly proceed to an appeal.

The present amendments were previously presented under 37 C.F.R. § 1.116 and 37 C.F.R. § 41.33. Specifically, the claims are being presented under 37 C.F.R. § 1.116(b)(2) so as to place the claims into a better condition for appeal. These amendments were not entered.

The Examiner sent an Advisory Action, indicating that the Appeal Brief was fatally defective for being directed to non-entered claims. The present amendment and Request for Continued Examination are being presented to cure this defect. Applicant respectfully requests an Appeal of the pending claims as presented in the present amendment. The substance of the obviousness rejection at issue is the intended issue for appeal. Applicant seeks to have this obviousness rejection resolved on Appeal.

The non-entered claims rejection is not the basis for the arguments presented in Appeal, but these claims are the issue for appeal. As such, Applicant has submitted the present amendment so

as to prepare the claims for appeal on the pertinent issue.

Alternatively, Applicant submits the attached patent documents for consideration of the patentability of the subject matter at issue. It is important to note that the present application is a convention filing of a Korean priority application. Corresponding patent applications in other countries have similarly been filed with the priority claim. Applicant respectfully recognizes that the U.S. Patent and Trademark Office and the Examiner must apply the laws of the United States and acknowledges that the Examiner and the U.S. Patent and Trademark Office cannot be compelled by any other patent office of any other nation. Just for information and not for any binding authority, the corresponding conventional applications in various countries have already been determined and validated as patentable subject matter, such that multiple patents in these two other countries have issued.

Applicant respectfully contends that finding allowable subject matter in the priority application and corresponding convention applications is relevant to the present application. Applicant respectfully contends that review of the patented subject matter of these corresponding patent documents may provide insight and guide the consideration of allowable subject matter and claims in the present U.S. Application. The relevant corresponding patents are United Kingdom Patent No. 2,370,005 from February 26, 2003, and German Patent No. 101 56 874. Copies of these references are attached hereto. These documents submitted by Information Disclosure Statement comply with 37 C.F.R. § 1.97(b) for consideration before a Request for Continued Examination.

Alternative to a Final Rejection, Applicant is willing to consider any alternative claim language proposed or suggested by the Examiner after review of the corresponding prior art references.

On this basis, Applicant respectfully contends that Claims 11 and 12 are now in a proper condition for consideration on appeal. Applicant respectfully requests reconsideration of the claim language for allowance or a final action to be entered to provide for appeal of the proper claims.

Applicant concurrently submits a Petition for Extension of Time for one (1) month under 37 C.F.R. § 1.136(a) for the period of response to the Advisory Action of November 1, 2006. Any additional fees to avoid abandonment may be charged to Deposit Account 08-0879.

Respectfully submitted,

December 6, 2006

Date

Customer No. 24106

/Andrew W. Chu/

John S. Egbert; Reg. No. 30,627

Andrew W. Chu; Reg. No. 46,625

Egbert Law Offices

412 Main Street, 7th Floor

Houston, Texas 77002

(713)224-8080

(713)223-4873 fax